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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,202	09/09/2003	Tadashi Ezaki	242434US6	9116

22850 7590 11/28/2007

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EXAMINER	
BESROUR, SAOUSSEN	

ART UNIT	PAPER NUMBER
2131	

NOTIFICATION DATE	DELIVERY MODE
11/28/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/657,202	EZAKI, TADASHI	
	Examiner	Art Unit	
	Saoussen Besrour	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 October 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to amendment filed 10/19/2007. Claims 1, 6, 9, 13 and 17 were amended. Claims 1-17 are pending.

Response to Arguments

2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. **New rejection for claims 6-8 and 17 follows.**

3. Regarding Applicant's argument that the prior art does not teach "reads and decrypts the tangible encrypted medium carrying or storing the recipient's encryption information using a secret key known only to the delivery agency so that the delivery agency obtains the private information from the decrypted tangible encrypted medium", Examiner respectfully disagrees and would like to point out Column 4, Lines 17-27, where it discloses decryption means uses the secret key to obtain M2 and further obtain M3. Examiner interprets "private information" as M2 or M3 because M2 or M3 can be private information since they have been encrypted and their contents kept secret unless decrypted using the secret key.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Numao (US 6,377,688) in view of Moore et al. (7,165,268).

As per **claim 1**, Numao discloses: wherein the recipient's terminal apparatus is configured to obtain a public key from the delivery agency via a specified medium, to use the public key so obtained to encrypt recipient information as recipient's encryption information containing at least private information needed to enable delivery of [tangible items] to the recipient and to transmit the recipient's encryption information to the sender's terminal apparatus (Column 4, Lines 9-12, Column 6, Lines 20-51);

wherein the sender's terminal apparatus is configured to receive and provide the recipient's encryption information as part of a [tangible encrypted medium] carrying or storing the recipients encryption information that the sender includes with the [tangible item] and forwards to the delivery agency (Column 4, Lines 13-22);

and wherein the delivery agency has a cryptogram reader configured to read and decrypt the [tangible encrypted medium] carrying or storing the recipient's encryption information using a secret key known only to the delivery agency so that the delivery

agency obtains the private information from the decrypted [tangible encrypted medium] to enable the [tangible item] to be delivered to the recipient (Column 4, Lines 13-24). Numao does not explicitly teach that the message delivered is a tangible item with a tangible encrypted medium. However, Moore discloses sending a message, such as a paper or magnetic medium, on a tangible medium (Column 1, Lines 40-65, Column 3, Lines 12-27, Lines 40-45, Column 3, Lines 65-Column 4, Lines 30). Therefore, it would have been obvious to one with ordinary skill in the art for combine the teachings of Moore with the teachings of Numao for the benefit of secure delivery of an item. One with ordinary skill in the art would want to ensure that the privacy of the item is protected until verification that the medium has been received by the authorized recipient. The modification obvious since Numao discloses in column 6, Lines 20-51 that the message holds a certificate including a sender ID, a recipient ID, furthermore a public key for encryption (encryption information) and Moore states in column 3, lines 40-46 that the sender has complete flexibility to tailor the specific contents of the authentication message.

As per **claim 9**, Numao discloses: a means for obtaining a secret key from the delivery agency server apparatus in order to decrypt the encrypted information needed to deliver [the tangible item] to the recipient from the encrypted medium forwarded to the delivery agency by the sender along with [the tangible item] the recipient's encrypted information including (Column 4, Lines 60-61); a means for reading the encrypted information needed to deliver the [tangible item] to the recipient from the

encrypted medium and for decrypting it using the secret key (Column 4, Lines 60-61); and a means for outputting the decrypted information needed to deliver the [tangible item] to the recipient as human-readable recipient information (Column 4, Lines 65-66). Numao does not explicitly teach that the message delivered is a tangible item with a tangible encrypted medium. However, Moore discloses sending a message, such as a paper or magnetic medium, on a tangible medium (Column 1, Lines 40-65, Column 3, Lines 12-27, Lines 40-45, Column 3, Lines 65-Column 4, Lines 30). Therefore, it would have been obvious to one with ordinary skill in the art for combine the teachings of Moore with the teachings of Numao for the benefit of secure delivery of an item. One with ordinary skill in the art would want to ensure that the privacy of the item is protected until verification that the authorized recipient has received the medium. The modification obvious since Numao discloses in column 6, Lines 20-51 that the message holds a certificate including a sender ID, a recipient ID, furthermore a public key for encryption (encryption information) and Moore states in column 3, lines 40-46 that the sender has complete flexibility to tailor the specific contents of the authentication message.

As per **claim 11**, Numao discloses: providing a public communication connection between a sender's terminal apparatus of a sender of the [tangible item] to a recipient's terminal apparatus of a recipient indented to receive the [tangible item] (Fig.2); using the recipient's terminal apparatus to obtain a public key from a delivery agency, using the obtained public key to encrypt recipient information containing at least private

information needed for delivery of [tangible items] to the recipient as recipient's encryption information (Column 6, Lines 20-51); transmitting the recipient's encryption information to the sender's terminal apparatus (Column 4, Lines 9-12); receiving the transmitted recipient's encrypted information at the sender's terminal apparatus (Column 6, Lines 20-51); providing the received recipient's encryption information as a [tangible encrypted medium] carrying or storing the recipient's encryption information (Column 4, Lines 13-22); including the [tangible encrypted medium] carrying or storing the recipient's encryption information with the [tangible item] and forwarding both to the delivery agency (Column 6, Line s20-51); and decrypting the recipient's encrypted information from the [tangible encrypted medium] forwarded to the delivery agency so that the delivery agency obtains the private information needed for delivery of the [tangible item] to the recipient (Column 4, Lines 13-24, Column 6, Lines 20-51). Numao does not explicitly teach that the message delivered is a tangible item with a tangible encrypted medium. However, Moore discloses sending a message, such as a paper or magnetic medium, on a tangible medium (Column 1, Lines 40-65, Column 3, Lines 12-27, Lines 40-45, Column 3, Lines 65-Column 4, Lines 30). Therefore, it would have been obvious to one with ordinary skill in the art for combine the teachings of Moore with the teachings of Numao for the benefit of secure delivery of an item. One with ordinary skill in the art would want to ensure that the privacy of the item is protected until verification that the authorized recipient has received the medium. The modification obvious since Numao discloses in column 6, Lines 20-51 that the message holds a certificate including a sender ID, a recipient ID, furthermore a public key for

encryption (encryption information) and Moore states in column 3, lines 40-46 that the sender has complete flexibility to tailor the specific contents of the authentication message.

As per **claims 2 and 12**, rejected as applied to claims 1 and 11. Furthermore, Numao discloses: wherein the recipient's terminal apparatus is further configured to include information about the delivery agency's public key with the recipient's encryption information being transmitted to the sender's terminal apparatus (Column 4, Lines 9-12).

As per **claims 3 and 13**, rejected as applied to claims 1 and 12. Furthermore, Numao discloses: wherein the sender's terminal apparatus is configured to obtain a public key from the delivery agency via a specified medium, to use the public key obtained to encrypt sender information so as to provide sender's encryption information, that is included with the [tangible item] forwarded to the delivery agency by the sender (Column 4, Lines 9-12); and wherein the cryptogram reader is further configured to read and decrypt the output sender's encryption information using a secret key known only to the delivery agency so that the delivery agency obtains the sender information (Column 4, Lines 13-24). Inherent, because mechanism is disclosed for the recipient, thus sender can be the recipient and recipient can be the sender since the server's public keys are open to both. Numao does not explicitly teach that the message delivered is a tangible item with a tangible encrypted medium. However, Moore discloses sending a message, such as a paper or magnetic medium, on a tangible medium (Column 1,

Lines 40-65, Column 3, Lines 12-27, Lines 40-45, Column 3, Lines 65-Column 4, Lines 30). Therefore, it would have been obvious to one with ordinary skill in the art for combine the teachings of Moore with the teachings of Numao for the benefit of secure delivery of an item. One with ordinary skill in the art would want to ensure that the privacy of the item is protected until verification that the authorized recipient has received the medium. The modification obvious since Numao discloses in column 6, Lines 20-51 that the message holds a certificate including a sender ID, a recipient ID, furthermore a public key for encryption (encryption information) and Moore states in column 3, lines 40-46 that the sender has complete flexibility to tailor the specific contents of the authentication message.

As per **claims 4 and 14**, rejected as applied to claims 1 and 11. Furthermore, Numao discloses: wherein the recipient's encryption information contains at least coded information (Column 5, Line 46).

As per **claims 5 and 15**, rejected as applied to claims 1 and 11. Furthermore, Numao discloses: wherein the recipient's encryption information contains at least a name identifying the recipient (Column 5, Lines 46).

As per **claim 10**, rejected as applied to claim 9. Furthermore, Numao discloses: wherein the cryptogram reader also decrypts sender's encrypted information as to provide sender's private information encrypted by a sender encryption program using the public key (Column 4, Lines 60-61); and wherein the cryptogram reader also outputs

decrypted sender's private information as human-readable sender information (Column 4, Lines 60-61).

5. **Claims 6, 7, 8 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Numao (US 6,377,688) in view of Maruyama (20020144118) in further view of Moore et al. (7,165,268).

As per **claim 6**, Numao discloses: a public key management means for managing a public key to execute an encryption program which encrypts recipient information containing at least private information needed for delivery of [tangible items] to the recipient (Column 4, Lines 58); a public key transmission means for transmitting the public key to the recipient's terminal apparatus [in response to a request from the recipient's terminal apparatus] (Fig. 2, Public keys P, N transmitted to sender and receiver); a secret key management means for managing a secret key to decrypt recipient's encryption information encrypted by the encryption program using the public key for obtaining at least recipient's private information needed for delivery of [tangible items] forwarded to the delivery agency by the sender along with a [tangible encrypted medium] carrying or storing the recipient's encryption information; (Column 4, Lines 60-61, Column 6, Lines 20-51); and a secret key provision means for providing the secret key to a cryptogram reader configured to read and decrypt the [tangible encrypted medium] carrying or storing the recipient's encryption information to obtain the private information needed for delivering [tangible items] to the recipient (Column 4, Lines 60-

61). Numao does not explicitly teach transmitting a public key in response to a request from the recipient terminal. However, Maruyama discloses: transmitting a public key in response to a request from the recipient terminal (0051). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the teachings of Maruyama in conjunction with the teachings of Numao for the benefit of providing the public keys directly to a partner server instead of installing the public key server to hold and publicize the public keys (0051). However, the combined references Numao and Maruyama do no explicitly teach that the message delivered is a tangible item with a tangible encrypted medium. However, Moore discloses sending a message, such as a paper or magnetic medium, on a tangible medium (Column 1, Lines 40-65, Column 3, Lines 12-27, Lines 40-45, Column 3, Lines 65-Column 4, Lines 30). Therefore, it would have been obvious to one with ordinary skill in the art for combine the teachings of Moore with the combined teachings of Numao and Maruyama for the benefit of secure delivery of an item. One with ordinary skill in the art would want to ensure that the privacy of the item is protected until verification that the authorized recipient has received the medium. The modification obvious since Numao discloses in column 6, Lines 20-51 that the message holds a certificate including a sender ID, a recipient ID, furthermore a public key for encryption (encryption information) and Moore states in column 3, lines 40-46 that the sender has complete flexibility to tailor the specific contents of the authentication message.

As per **claim 17**, Numao discloses: a public key management means for managing a public key to execute an encryption program which encrypts recipient information containing at least private information needed for delivery of [tangible items] to the recipient (Column 4, Lines 58); a public key transmission means for transmitting the public key to the recipient's terminal apparatus [in response to a request from the recipient's terminal apparatus] (Fig. 2, Public keys P, N transmitted to sender and receiver); a secret key management means for managing a secret key to decrypt recipient's encryption information encrypted by the encryption program using the public key for obtaining at least recipient's private information needed for delivery of [tangible items] forwarded to the delivery agency by the sender along with a [tangible encrypted medium] carrying or storing the recipient's encryption information; (Column 4, Lines 60-61, Column 6, Lines 20-51); and a secret key provision means for providing the secret key to a cryptogram reader configured to read and decrypt the [tangible encrypted medium] carrying or storing the recipient's encryption information to obtain the private information needed for delivering [tangible items] to the recipient (Column 4, Lines 60-61). Numao does not explicitly teach transmitting a public key in response to a request from the recipient terminal. However, Maruyama discloses: transmitting a public key in response to a request from the recipient terminal (0051). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the teachings of Maruyama in conjunction with the teachings of Numao for the benefit of providing the public keys directly to a partner server instead of installing the public key server to hold and publicize the public keys (0051). However, the combined references

Numao and Maruyama do no explicitly teach that the message delivered is a tangible item with a tangible encrypted medium. However, Moore discloses sending a message, such as a paper or magnetic medium, on a tangible medium (Column 1, Lines 40-65, Column 3, Lines 12-27, Lines 40-45, Column 3, Lines 65-Column 4, Lines 30). Therefore, it would have been obvious to one with ordinary skill in the art for combine the teachings of Moore with the combined teachings of Numao and Maruyama for the benefit of secure delivery of an item. One with ordinary skill in the art would want to ensure that the privacy of the item is protected until verification that the authorized recipient has received the medium. The modification obvious since Numao discloses in column 6, Lines 20-51 that the message holds a certificate including a sender ID, a recipient ID, furthermore a public key for encryption (encryption information) and Moore states in column 3, lines 40-46 that the sender has complete flexibility to tailor the specific contents of the authentication message.

As per **claim 7**, rejected as applied to claim 6. Furthermore, the combined references Numao, Maruyama and Moore substantially teach wherein the public key transmission means also transmits the public key to the sender's terminal apparatus in response to a request from the sender's terminal apparatus (Maruyama-0051); wherein a sender encryption program uses the public key to encrypt sender information about the sender to generate sender's encryption information forwarded to the delivery agency by the sender along with [the tangible encrypted medium] carrying or storing the recipient's encryption information and [the tangible item] (Numao-Column 4, Lines 58, and Column 6, lines 20-51); and wherein the secret key also reads and decrypts the

sender's encryption information (Numao-Column 4, Lines 60-61). , Moore discloses sending a message, such as a paper or magnetic medium, on a tangible medium (Column 1, Lines 40-65, Column 3, Lines 12-27, Lines 40-45, Column 3, Lines 65-Column 4, Lines 30). Therefore, it would have been obvious to one with ordinary skill in the art for combine the teachings of Moore with the combined teachings of Numao and Maruyama for the benefit of secure delivery of an item. One with ordinary skill in the art would want to ensure that the privacy of the item is protected until verification that the authorized recipient has received the medium. The modification obvious since Numao discloses in column 6, Lines 20-51 that the message holds a certificate including a sender ID, a recipient ID, furthermore a public key for encryption (encryption information) and Moore states in column 3, lines 40-46 that the sender has complete flexibility to tailor the specific contents of the authentication message.

As per **claim 8**, rejected as applied to claim 6. Furthermore, the combined references Numao and Maruyama substantially teach wherein an output of the recipient's encryption information contains at least a name identifying the recipient (Column 5, Lines 46).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saoussen Besrour whose telephone number is 571-272-6547. The examiner can normally be reached on M-F 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SB
November 23, 2007

CHRISTOPHER REVAK
PRIMARY EXAMINER